

REMARKS

In paragraphs 1 and 2 of the Office Action, the Examiner rejects claims 1 – 4, 9 and 11 over the newly cited specification to Vallotton (US 6,079,106). In view of this rejection, the Applicant has amended claim 1 to specify that the movement of the control member along the guide groove is done by a person's thumb without assistance from a spring and causes the folding of the operational member into and out of the side of the handle via the arm. It is clear from the Applicant's specification that the whole purpose of the Applicant's device is to avoid the use of a spring for causing the operational member to move to its open position, see Applicant's specification at page 1 lines 13 – 18 and page 7 line 22 – page 8 line 2. In contrast, Vallotton is concerned with a folding knife in which the blade uses a spring assist, see Vallotton at column 1 lines 31 – 36, column 1 lines 45 – 49, column 2 lines 35 – 37, column 2 lines 49 – 52, and column 3 lines 1 – 8 and 20 – 23. Thus Vallotton is directed to the very type of device which the Applicant wishes to avoid. The present amendments to the Applicant's claim 1 make this clear. A person wishing to invent the Applicant's invention in which the control member can be operated by a person's thumb and without the assistance from a spring would not look to Vallotton where the purpose of the Vallotton invention is to retain some form of spring-assist in the opening of the blade, and thereby to obtain the effect of a switch blade without the knife being illegal.

In paragraphs 3 and 4 of the Office Action, the Examiner has rejected the Applicant's claims 4, 5 and 10 over Vallotton. The Applicant relies for the patentability of these claims on the fact that they include all of the features of claim 1, and claim 1 is believed to be allowable for the above mentioned reasons.

Referring to paragraph 6 of the Office Action, the newly cited Centofante and Frazer prior art specifications made of record and not relied upon have been carefully considered. They are not believed to affect the allowability of the Applicant's claims, nor the above submissions.

Accordingly, it is respectfully submitted that this application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this **RESPONSE** is found to be **INCOMPLETE**, or if at any time it appears that a **TELEPHONE CONFERENCE** with Counsel would help advance prosecution, please telephone the undersigned or one of his associates, collect in Waltham, Massachusetts, at (781) 890-5678.

Respectfully submitted,

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